Docket No.: 077567-0035 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 31824

Leon Rudakov, et al. : Confirmation Number: 1195

Application No.: 10/541,254 : Group Art Unit: 3738

Filed: August 01, 2006 : Examiner: Megan Yarnall Wolf

For: A MEDICAL DEVICE

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No certification or fee is required.

Each English language reference was cited in an International Search Report dated November 13, 2008 received in corresponding International Application No.

Application No.: 10/541,254

PCT/US08/75504. A copy of the international search report and written opinion is attached for the Examiner's information.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502203 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

James W. Hill, MD Registration No. 46,396

Please recognize our Customer No. 31824 as our correspondence address.

18191 Von Karman Ave., Suite 500 Irvine, CA 92612-7108

Phone: 949.851.0633 JWH:mmh

Facsimile: 949.851.9348

Date: December 22, 2008

ORC 452783-1.077567.0035